



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बोरवार, 2 जुलाई, 1964/11 आषाढ़, 1886

GOVERNMENT OF HIMACHAL PRADESH HOME DEPARTMENT NOTIFICATION

Simla-4, the 2nd July, 1964

No. 9-10/64-Home.—Whereas the District Judge, Mahasu and Sirmur districts, passed an order in the case of Shri Amar Singh and another *versus* Jathedar Harbhajan Singh and others on May 21, 1964, appointing Shri Kashmir Singh (Revenue Assistant) as Receiver of Shri Gurdwara Paonta Sahib in District Sirmur and the immovable and movable property attached thereto, and directed that the Receiver should take possession of the property in execution of the order of the District Judge;

Whereas in pursuance of the said order of the District Judge, Shri Kashmir Singh (Revenue Assistants), Receiver, went to Shri Gurdwara Paonta Sahib on 22-5-1964 to execute the order of the Court;

Whereas it is alleged that on arrival at Shri Gurdwara Paonta Sahib, it was found that Shri Gurdwara Paonta Sahib was under illegal occupation of a large number of Nihangs;

Whereas it is alleged that the Nihangs were asked by Shri Kashmir Singh (Revenue Assistant), Receiver, to hand over the possession of the property pertaining to Shri Gurdwara Paonta Sahib, that it was explained to them that it was being done in execution of the order of the District Judge, Mahasu and Sirmur districts, and that the contents of the order were explained to them;

Whereas it is alleged that the Nihangs, who were in occupation and possession of the property of Shri Gurdwara aforesaid, resisted the execution of the order of the Court, and the Receiver sought the assistance of the Police under the orders of the District Judge;

Whereas it is alleged that certain acts involving breach of the peace were committed by the Nihangs and that under the order of the Magistrate the Police force in attendance had to resort after due warning to open fire which resulted in some casualties;

Whereas it has been alleged that the firing was unnecessary and unjustified, and that after the incident of firing certain acts of sacrilege were wilfully and deliberately committed by the Police personnel;

Whereas the Lieutenant Governor, Himachal Pradesh, is of the opinion that it is necessary to appoint a Commission of Enquiry for the purpose of making an enquiry into certain definite matters of public importance;

Now, therefore, the Lieutenant Governor, Himachal Pradesh, in exercise of the powers vested in him under section 3 (i) of the Commission of Inquiry Act, 1952, read with the Government of India, Ministry of Home Affairs, notification No. F. 2/6/64-UTL, dated the 30th May, 1964, and in supersession of the Home Department notification of even number, dated the 6th June, 1964, is pleased to appoint Mr. Justice Vashistha Bhargava a Judge of the Allahabad High Court, as a Commission of Enquiry, and to require him to enquire into and report on the following matters in relation to the aforementioned incident that took place at Shri

Gurdwara Paonta Sahib, within three months of the date of this notification:—

- (a) Facts and circumstances culminating in this incident,
- (b) Whether there was sufficient justification for the use of force and whether the amount of force applied by the Police was excessive under the circumstances in which it was applied,
- (c) Whether any acts of sacrilegious nature were wilfully and deliberately committed under official orders in relation to Shri Gurdwara Paonta Sahib during and after the incident,
- (d) The number of persons killed and/or injured, the nature of the injuries sustained and damage caused to any property belonging to Shri Gurdwara Sahib,
- (e) Any other matter, which in the opinion of the Commission, is relevant to the ascertainment of facts relating to the incident.

By order, —
T. S. NEGI,
Chief Secretary.

